

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

FILED

SEP 06 2002

IN RE: VITAMINS ANTITRUST  
LITIGATION

NANCY MAYER WHITTINGTON, CLERK  
U.S. DISTRICT COURT

Misc. No. 99-197 (TFH)  
MDL No. 1285

THIS DOCUMENT APPLIES TO:  
ALL ACTIONS

**ORDER**

**Re: Class Plaintiffs' Motion for Limited Exception to Protective Order**

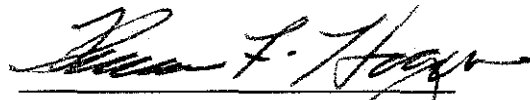
Pending before the Court is Class Plaintiffs' Motion for Limited Exception to Protective Order to Supplement Empagran Appellate Record. Upon careful consideration of the Motion and Memorandum in Support Thereof, Aventis Defendants' Opposition, and the lack of a reply by the Class Plaintiffs, the Court will deny the motion. In the three page Motion and Memorandum, Class Plaintiffs have offered virtually no rationale as to why the Court should use its discretion to modify the protective order. They have merely asserted that the pertinent documents are "highly relevant" and "provide direct support for the Empagran Plaintiffs' argument that an express intent of the global vitamins cartel was to effectively keep all vitamins prices in global equilibrium." Pl. Mem. at 2. Moreover, Class Plaintiffs have failed to meet any of the Aventis Defendants' arguments that Class Plaintiffs have failed to show a proper basis for the exception requested and that Aventis has a real and continuing interest in maintaining the protections of the protective order. On this record, the Court has no difficulty in denying the motion. Thus, it is hereby

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**ORDERED** that Class Plaintiffs' Motion for Limited Exception to Protective Order to Supplement Empagran Appellate Record is **DENIED**.

**SO ORDERED.**

September 6<sup>14</sup>, 2002

  
Thomas F. Hogan  
Chief Judge